

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12551 of Dupont Circle Associates, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3104.44 to continue the use of a parking lot for five years in the R-5-B District at the premises 2125 "O" Street, N. W., (Square 68, part of Lot 819).

HEARING DATE: December 21, 1977

DECISION DATE: December 21, 1977 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located on the south side of "O" Street, between 21st and 22nd Streets, N. W. and is in an R-5-B District.
2. By BZA Order No. 11118, dated November 14, 1972, the Board approved the continued use of the parking lot for a period of five years.
3. The area of the property is approximately 22,180 square feet. Public alleys adjoin the property on the north and west. A row dwelling adjoins the lot on the east. A nursing home (The Marsalle) is located east of the property. The rear of a number of commercial establishments which are located on "P" Street are across the alley to the north. The 2100 block of "O" Street is predominantly residential in use, characterized by two and three story row dwellings. At the intersection of 23rd and "O" Streets are two apartment buildings both of which are four stories in height.
4. The parking lot accomodates eighty cars. The lot is an attended, commercial lot. An attendant's shelter is located on the premises. Both long term monthly contracts and hourly parking is available on the lot.
5. The lot is in conformance with the conditions specified in the Board's last Order concerning this property. The lot is paved, landscaped and fenced along the "O" Street side of the lot and is well maintained.
6. There are no commercial advertising signs on the lot except for the advertisement of the lot's rates and hours of operation.

7. The continuation of parking is to be an interim use, as the subject site has been sold. The plan is to construct town houses on the site with construction anticipated to begin within six months.

8. The Dupont Circle Citizens Association, the North Dupont Community Association, the Dupont Circle Advisory Neighborhood Commission 2-B and a private citizen were opposed to the application being granted for five years, as originally requested. These groups did not object to a short term approval of the parking lot as an interim use prior to construction of residential units on the property.

9. The Municipal Planning Office, by report dated December 15, 1977, recommended approval of the application for a period not to exceed four years, stating that the continuation of the lot will not have an adverse impact on the present character or future development of the area.

10. The application was referred to the D. C. Department of Transportation on November 10, 1977 for its review and report. As of the date of the hearing and decision, no report from the Department had been received.

CONCLUSIONS OF LAW:

Based on the record the Board is of the opinion that for a period of one year or until construction starts the continuation of this parking lot will not have an adverse impact on the present character or future development of this neighborhood. The lot is well maintained and has been screened and landscaped along the "O" Street frontage. Accordingly, it is ORDERED that the application is GRANTED subject to the following CONDITIONS:

- a. Approval shall be for a period of ONE YEAR.
- b. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- c. An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.
- d. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- e. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.

- f. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.
- g. No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structures are otherwise permitted in the zoning district in which the parking lot is located.
- h. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

VOTE:

5-0 (Charles R. Norris, Walter B. Lewis, Chloethiel Woodard Smith, William F. McIntosh and Leonard L. McCants)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By:

  
\_\_\_\_\_  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 21 FEB 1978

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.